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Dated: May 16, 2008

Signature: 

(Robert G. Gingham)

Docket No.: Y2238.0056  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Tsutomu Tsukagoshi et al.

Application No.: 10/768,082

Confirmation No.: 6555

Filed: February 2, 2004

Art Unit: 2616

For: PACKET COMMUNICATION SYSTEM,  
NETWORK DEVICE AND METHOD OF  
MANAGING RESOURCE EMPLOYED  
THEREFOR

Examiner: H. Baron

**AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**INTRODUCTORY COMMENTS**

In response to the Office Action dated February 20, 2008, please reconsider the above-identified U.S. patent application as follows:

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks/Arguments** begin on page 7 of this paper.

## FEE CALCULATION

Any additional fee required has been calculated as follows:

\_\_\_\_\_ If checked, Small Entity status is claimed

	No. Claims After Amendment		Highest No. Previously Paid For		Extra Present		Rate	Additional Fee
Total	24	MINUS	24**	=	0	X		\$0.00
Indep.	3	MINUS	3**	=	0	X		\$0.00
First presentation of multiple dependent claim(s)						X		\$
TOTAL								\$0.00

\* not less than 20

\*\* not less than 3

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-2215.

## CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 50-2215.